

TOWN OF BUCKEYE
REGULAR COUNCIL MEETING

AUGUST 17, 2004

MINUTES

Item

1. Call to Order/Pledge of Allegiance/Roll Call.

Mayor Hull, who led the pledge of allegiance, called the meeting to order at 7:01 p.m.

2. Comments from the Public – None.

CONSENT AGENDA: All items with an (*) are considered to be routine and will be enacted by one motion of the Council. Agenda items *3, *4, *5A, and *5B were all on the consent agenda. Moved by Vice Mayor Urwiller, seconded by Councilwoman May to approve Items *3, *4, *5A, and *5B as presented. The motion passed unanimously.

(*3.) Approved of the minutes of the July 24, 2004 Council retreat; July 29, 2004 Special Council meeting; and the August 3, 2004 Council workshop and regular meeting.

(*4.) Approved invoices due by the Town for payment.

NEW BUSINESS

(*5A.) Approved joining Hohokam Resource Conservation and Development Area and appointment of Annette Napolitano, as representative, and Larry Harmer as alternate to the Board.

(*5B.) Approved awarding the contract for the construction of Buckeye Skatepark to the lowest responsive and responsible base bid to Wilson Concrete in the amount of \$45,000.

OLD BUSINESS

5C. Ordinance 33-04 Rezoning (Buckeye 60 L.L.C. RZ04-187)

Lyle Richardson representing Buckeye 60 L.L.C. was present to answer any questions from Council. Moved by Councilman Meck, seconded by Vice Mayor Urwiller to adopt Ordinance 33-04 amending the Land Use District Map of the Town in that area generally northwest of the road alignment intersection of Apache Road and Lower Buckeye Road from RR, Rural Residential to PR, Planned Residential, located in the south half of the southwest quarter of the northwest quarter of Section 16, Township 1 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona and generally located south of the southeast corner of Yuma Road and Apache Road and read by title only. The motion passed unanimously.

5D. Resolution 33-04 Final Plat (Verrado FP04-215)

Karrin Taylor, of Biskind, Hunt & Taylor, P.L.C., representing DMB White Tank, L.L.C. requested Council approval of the Final Plat for Parcels 4.501, 4.503, and 4.504. Staff reported there are 99 residential lots and 28 tracts on approximately 28.843 acres resulting in a density of 3.432 dwelling units per acre. Moved by Councilman Meck, seconded by Councilman Beard to adopt Resolution 33-04 approving the Final Plat of a subdivision to be known as "Verrado Parcels 4.501, 4.503, and 4.504" north of Sunrise Lane, west of Verrado Way, a portion of Section 19, Township 2 North, Range 2 West of Section 24, Township 2 North, Range 3 West of the Gila and Salt River Base and Meridian and read by title only. The motion passed unanimously.

5E. Resolution 34-04 Final Plat (Verrado Parcels 5.601, 5.602, and 5.603 FP04-216)

Karrin Taylor of Biskind Hunt & Taylor P.L.C. representing DMB White Tank, L.L.C. requested Council to consider approval of Final Plats for Parcels 5.601, 5.602, and 5.603. Staff reported this requests consists of 91 residential lots and 27 tracts on approximately 20.263 acres resulting in a density of 4.49 dwelling units per acre. Moved by Councilman Beard, seconded by Councilwoman May to adopt Resolution 34-04 approving the Final Plat of a subdivision to be known as "Verrado Parcels 5.601, 5.602, and 5.603" north of Sunrise Lane, west of Verrado Way, a portion of Section 19, Township 2 North, Range 2 West of Section 24, Township 2 North, Range 3 West of the Gila and Salt River Base and Meridian and read by title only. The motion passed unanimously.

NEW BUSINESS

5F. Dispatch Console Request

Acting Police Chief Fitzpatrick requested Council consider a request from the Police Department to purchase a new console to update their dispatch system. Moved by Vice Mayor Urwiller, seconded by Councilwoman May to approve the purchase of Dispatch Console Equipment from Xybix, Inc. (a sole source vendor) in the amount of \$7,325 to be funded through the RICO fund, Line Item 36-47-428. The motion passed unanimously.

5G. Resolution 35-04 Final Plat Sundance Parcel 22 (Hancock Communities FP03-487)

RBF Consulting on behalf of Hancock Communities requested Council to consider approval of the Final Plat for Sundance Parcel 22. Staff reported that Parcel 22 consists of 150 lots on 31.72 net acres. Moved by Vice Mayor Urwiller, seconded by Councilman Beard to adopt Resolution 35-04 approving the Final Plat of a subdivision to be known as "Sundance Parcel 22" located in the Master Planned Community of Sundance and also located in the southwest quarter of Section 11, Township 1 North, Range 3 West of the Gila and Salt River Meridian and read by title only. The motion passed unanimously.

5H. Resolution 36-04 Final Plat Parcel 23B (Hancock Communities FP04-228)

RBF Consulting on behalf of Hancock Communities requested Council approval of Final Plat Parcel 23B. Staff stated the subject subdivision consists of 54 lots on 10.73 acres. Moved by Vice Mayor Urwiller, seconded by Councilman Beard to adopt Resolution 36-04 approving the Final Plat of a subdivision to be known as "Sundance Parcel 23B" located in the Master Planned Community of Sundance and also located in a portion of the southwest quarter of Section 11, Township 1 North, Range 3 West of the Gila and Salt River Base and Meridian, and read by title only. The motion passed unanimously.

5I. Ordinance 35-04 Development Agreement and Community Master Plan for Trillium

Staff reported that the Development Board recommends approval subject to stipulations of the CMP that consists of 3,042 acres with 8,816 dwelling units. Mr. Paul Gilbert of Bues Gilbert, 4800 N. Scottsdale Road on behalf of Joel Farkus, the owner and developer, of the proposed property. Mr. Gilbert stated that the owner is working diligently on all necessary permits, including participating in the Hassayampa Basin Study, a signer on the Cost Sharing Agreement, preparing for assured water supply, preparing the MAG 208 Plan for the Town to sign and present to the County, met with Saddleback Mountain School District for school sites, recorded letter of intent for Type II Water Rights. He stated that the project would be divided into three development areas, (1) Village zone, (2) Transition zone, and (3) Desert zone. There would be a trail system (approximately 10 miles) throughout the project to connect neighborhoods and commercial areas. The owner/developer has agreed to all stipulation set forth by the Development Board. Mr. Gilbert stated that the western portion of the project has not been annexed into the Town, but he has spoken with Scott Ruby, Town Attorney, and he agrees it would be okay to go forward and the newly annexed area will fall under the CMP when annexed. The size of some of the lots may present an issued, but Mr. Gilbert stated that only 17.5 percent of the lots are 40' in width and that additional park sites have been added to accommodate the smaller lots.

Some the areas of concern express by the Council were:

Councilman Meck stated he did not have a problem with the smaller lots due to other accommodations that have been made. Councilwoman May asked if the highest density areas were apartments and was told they were. Councilman Doster questioned who would be responsible for building the bridge across the river. He was told that the developer that needs to get access will be the one who builds the bridge. Councilman Doster asked questioned who the provider of water is. Mr. Gilbert stated that the developer will install the water and wastewater facility and turn it over to the Town as stated in the CMP and Development Agreement. Councilman Garza was concerned about public safety buildings. Mr. Gilbert stated that the Development Agreement cites an area on the Southeast portion of the development and is covered in the Development Agreement. Councilman Beard did have a major concern with the smaller lots and wanted to know how these parks were going to be different from others. He asked if a swimming pool was in the plan for one of the parks. Mr. Gilbert stated that it was a possibility. Councilwoman May wanted to clarify that page 35 of the Development Agreement dated 4-28-04 is the correct version of the development agreement and was told by Mr. Gilbert that it was. After much discussion, moved by Councilman Meck, seconded by Vice Mayor Urwiller to Ordinance 35-04 approving both a Development Agreement and the Community Master Plan for the Development of Trillium, a Master Plan Community by Trillium L.L.C. on approximately 3,042 acres of land located in Section 7, 8, and 17 and all of Section 18, Township 3 North, Range 4 West; and the East half of Section 12 and all of Sections 13 and 24, Township 3 North, Range 5 West of the Gila and Salt River Base and Meridian; authorizing and directing the Mayor to sign the Development Agreement on behalf of the Town; and read by title only. The motion passed unanimously.

5J. Ordinance 36-04 Rezoning (Ryland Homes RZ04-192)

Gammage & Burnham representing Ryland Homes requested Council approval to rezone approximately 306 acres from RR to PR and CC. Moved by Councilman Meck, seconded by Councilman Beard to adopt Ordinance 36-04 amending the Land Use District Map of the Town in the area generally located northeast and southeast of the road alignment intersection of Jackrabbit Trail and Lower Buckeye Road from RR, Rural Residential Land Use District, to PR, Planned Residential Land Use District and CC, Commercial Center Land Use District and read by title only. The motion passed unanimously.

5K. Vision and Value Statement

Staff reported that on July 24th Council held a retreat at which time the Council worked together to create a Vision and Value Statement. Moved by Councilman Beard, seconded by Councilwoman May to approve the Vision and Value Statement created at the Council Retreat as the vision for Buckeye's future. The motion passed unanimously.

6. Town Manger's Report

The Town Manager reported on the following items:

1. The issue with the wastewater treatment plant is coming to a close with a solution expected at the beginning of next week.
2. Friday, August 20th, will be the first employee question and answer luncheon at the Chamber of Commerce Building.
3. The Police Department should be congratulated for coming up with an affordable answer to the radio issue. Motorola has met with the Police Department and can lease some radio equipment to the Town at a huge cost savings over the purchasing of the equipment.
4. Interviews have been conducted for the position of Fire Chief and a booklet has been placed before each Council members. Council should review the booklet and if you have any questions, please see the Town Manager.
5. The next Council retreat dates are September 18th or 25th, please check you calendars which would be the better date.
6. A meeting regarding impact fees is scheduled for August 24th with the Homebuilders Association for comments and 9:00 a.m. for other interested parties.

7. Comments from the Mayor and Council

Councilman Beard stated that the next Council retreat discussing the Development Code and Design Standards should be an interesting meeting and suggested the Development Board attend. He also remarked on the major cleaning up being done at the Community Development Building.

Mayor Hull requested on the next Council agenda that of the 5% merit raise approved in the FY 2004/2005 budget that 3% be given as a COLA raise effective October 1st and that the 2% be given as a merit raise on the employee's anniversary.

5L. Executive Session

Moved by Councilwoman May, seconded by Councilman Beard that the Council convenes into Executive Session (8:21 p.m.) pursuant to A.R.S. 38-431.03 (A) (1) to discuss the appointment of a Town Manager. The motion passed unanimously.

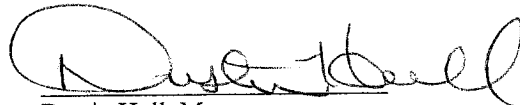
Moved by Councilwoman May, seconded by Councilman Garza to reconvene into the regular meeting (9:29 p.m.). The motion passed unanimously.

5M. Appointment of Town Manager/ Employment Contract

Councilman Garza spoke in favor of appointing Carroll Reynolds as Town Manager, stating that in the short time he has been interim town manager he has proven himself and that sometimes the best thing is right in front of you. Moved by Councilman Meck, seconded by Councilwoman May to appoint Carroll Reynolds as Town Manager subject to a revised contract to be brought back to the Council in a Special Meeting on August 24, 2004. The motion passed unanimously.


8. Adjournment.

There being no further business to come before the Council, moved by Vice Mayor Urwiller, seconded by Councilman Beard to adjourn (9:34 p.m.). The motion passed unanimously.




Dustin Hull, Mayor

ATTEST:



Linda Garrison, Town Clerk

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Council Meeting held on the 17th day of August 2004. I further certify that the meeting was duly held and that a quorum was present.



Linda Garrison, Town Clerk